

HOUSE No. 155

By Mr. Walsh of Boston, petition of Michael F. Rush and others relative to dispute resolution for emergency medical technicians. Public Service.

The Commonwealth of Massachusetts

PETITION OF:

Michael F. Rush
Brian P. Wallace

John A. Hart, Jr.

In the Year Two Thousand and Five.

AN ACT RELATIVE TO DISPUTE RESOLUTION FOR EMERGENCY MEDICAL TECHNICIANS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 589 of the acts of 1987 is hereby
2 amended by deleting the two sentences of subsection 2(a) of
3 Section 4A and inserting in place thereof the following two sen-
4 tences:—

5 (2)(a) The committee shall have oversight responsibility for all
6 collective bargaining negotiations involving municipal or public
7 police officers, [and] firefighters and emergency medical techni-
8 cians. The committee shall, at its discretion, have jurisdiction in
9 any dispute over the negotiations of the terms of a collective bar-
10 gaining agreement involving municipal or public police officers,
11 [and] firefighters and emergency medical technicians; provided,
12 however, that the committee may determine whether the proceed-
13 ings for the prevention of any prohibited practices filed with the
14 labor relations commission shall or shall not prevent arbitration
15 pursuant to this section.

1 SECTION 2. Chapter 589 of the acts of 1987 is hereby
2 amended by deleting the first part of subsection 2(b) of
3 Section 4A and inserting in place thereof the following lan-
4 guage:—

5 (b) After notification by the committee, the parties to any
6 municipal or public police, [and] fire and emergency medical
7 technician negotiations shall file with the committee, in such time
8 as the committee orders:.

1 SECTION 3. Chapter 589 of the acts of 1987 is hereby
2 amended by deleting the first and fourth paragraphs of subsection
3 2(c) of Section 4A and inserting in place thereof the following
4 language:—

5 (c) Notwithstanding the provisions of the first paragraph of
6 section nine of chapter one-hundred and fifty E of the General
7 Laws to the contrary, when either party or the parties acting
8 jointly to a municipal or public police, [and] fire and emergency
9 medical technician collective bargaining negotiations believe that
10 the process of collective bargaining has been exhausted the party
11 or both parties shall petition first the committee for the exercise of
12 jurisdiction and for the determination of the apparent exhaustion
13 of the process of collective bargaining.

14 Said board shall not accept any petition from a party to a
15 municipal or public police, [and] fire and emergency medical
16 technician negotiation under section nine of chapter one hundred
17 and fifty E of the General Laws if the petition has not been first
18 reviewed in accordance with the provisions of this section by the
19 committee.

1 SECTION 4. Chapter 589 of the acts of 1987 is hereby
2 amended by deleting paragraphs 8 and 9 of subsection 3(a) of
3 Section 4A and inserting in place thereof the following lan-
4 guage:—

5 No member of a unit of municipal or public police officers,
6 [and] firefighters or emergency medical technicians who is
7 employed on a less than full-time basis shall be subject to the pro-
8 visions of this clause.

9 When the parties to a municipal or public police, [and] fire or
10 emergency medical technician collective bargaining negotiation

11 jointly design their own dispute resolution procedures, they may
12 divest the committee of jurisdiction by presenting a written agree-
13 ment of their procedures to the committee; provided, however,
14 that the committee finds that said procedures provide for a final
15 resolution of the dispute, without resort to strike, job action, or
16 lockout; and provided, further that if the committee subsequently
17 finds that either of the parties fails to abide by said procedures,
18 the committee shall assume jurisdiction of the dispute.